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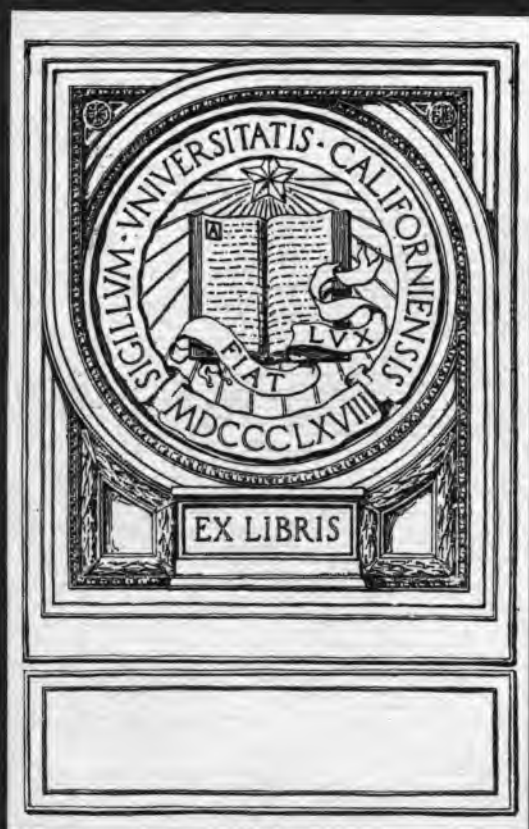
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SELECTED ARTICLES

ON THE

FORTIFICATION OF THE
PANAMA CANAL

COMPILED BY
C. E. FANNING

UNIV. OF
CALIFORNIA

MINNEAPOLIS
THE H. W. WILSON COMPANY
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EXPLANATORY NOTE

Although the government has committed itself to the policy of fortifying the Panama Canal, the schools are still debating the right and policy of so doing. This pamphlet is compiled for the purpose of supplying in the most convenient and inexpensive form the arguments for the affirmative and negative of the question: Resolved: That the United States should fortify the Panama Canal. A brief and bibliography are also included.

The following chronological statement will guide the debater in his study of the subject.

1846—Treaty signed by the United States and New Granada.
1850—Clayton-Bulwer treaty signed by the United States and Great Britain.

1900—First draft of Hay-Pauncefote treaty prohibiting fortifications along canal failed of ratification in the Senate.

1902—Hay-Pauncefote treaty omitting clause about fortification signed by the United States and Great Britain.

1903—Hay-Bunau-Varilla treaty signed by the United States and Republic of Panama.

January 12, 1911—President Taft asked Congress for a \$5,000,000 appropriation to start fortification of canal.

January 19-February 25, 1911—House of Representatives debated subject.

February 25, 1911—House voted \$3,000,000 for fortification.

March 3, 1911—Senate voted \$3,000,000 for fortification.

BRIEF

Resolved: That the United States should fortify the Panama Canal.

INTRODUCTION

- I. The right of the United States to fortify the canal is affected by our treaties with Great Britain and the Republic of Panama (formerly New Granada).
- II. By fortification is understood stationary guns and military posts.
- III. The alternative of fortification is neutralization.
- IV. Thus the question hinges on the right to fortify and the advisability of doing so.

AFFIRMATIVE

- I. United States has the right to fortify the canal.
 - A. Canal Zone is United States territory.
 - B. Treaties permit it.
 - C. Nations recognize it.
 - D. No other canals are neutral.
- II. United States can not afford to leave it unfortified.
 - A. Treaties would not protect it during war.
 - B. Its possession by an enemy could embarrass United States.
 - C. Fortification is cheap insurance.
- III. Forts are superior to navy for its defense.
 - A. More effective.
 - B. Cheaper.
 - C. Needed to protect navy in canal waters.
- IV. It is duty of United States to fortify in order to enforce canal regulations.

NEGATIVE

- I. United States has not the right to fortify.
- II. It is not necessary to protect it.
 - A. Treaties protect it.
 - B. Hague Conference of 1907 prohibited bombardment of unfortified places.
 - C. Material interests of other nations protect it.
 - D. Other nations would not use it in war.
- III. Fortifications would add little to nation's defensive power.
 - A. Canal could be destroyed in spite of fortifications.
 - B. Would be another place inviting attack.
- IV. Fortification means immense extravagance.
- V. Fortification means backward step in policy for arbitration of all disputes..
- VI. A neutralized canal is to United States's advantage.

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REPRINTS

Advocate of Peace. 72: 206-7. October, 1910.

Shall the Panama Canal be Fortified?

Leaving aside the matter of the right to fortify, the real question is, whether at the present time, with the steady movement of the world away from reliance on force and increasing dependence upon judicial methods and friendly adjustment, our country ought to fortify, at enormous expense, this new international waterway. It seems to us that to do so would be an inexcusable blunder if not worse. It would be in its measure a practical renunciation of leadership by the United States in the movement for world peace, just as our constant building of more and bigger battleships has been.

The fortification of the canal is fundamentally contrary to the growing spirit and practice of our time, the increasing co-operation and mutual trust among the nations, for which our country has done so much. It is out of harmony with the international institutions which have come into existence through the Hague Conference.

Collier's. 46: 17. February 4, 1911.

The Panama Canal's Defense. Godfrey L. Carden.

To defend the canal by ships is greatly to favor an opposing fleet, for, generally speaking, naval men ask for nothing better than to be given ships to fight. An opposing fleet offers something tangible to engage—something, in other words, that can be reached by gun-fire and destroyed—the

very opposite to what holds good in the case of fortifications provided with well-protected guns and with a practically unlimited supply of ammunition and gun's crews. It is an old axiom that one gun on shore is the equal of five guns on shipboard.

Congressional Record. 46: 1108-25. January 19, 1911.

J. Warren Keifer.

Barring all questions of the policy of neutralization of the Panama Canal in the interest and for the promotion of commerce and universal peace among nations, and putting aside all treaty obligations to neutralize it or the Canal Zone, and regarding the canal only as to its value in time of war to which the United States is a party, and for strategic reasons alone, I believe it is easy of demonstration that the United States should have its neutrality guaranteed by an international treaty similar in terms and character to the Suez Canal treaty—1888—now in effect, embodied in the Hay-Pauncefote treaty.

If this Government was at war with a great maritime nation possessed of a superior army and navy, and otherwise strong enough to wage successfully an offensive war distant from its own shores, it would be a fearful misfortune to our country to have to maintain an army on the line of the Panama Canal and a navy in the waters of both oceans at its ends sufficiently strong to protect it from seizure and destruction.

If such a belligerent nation had a navy or fleet which we could whip on the sea with our Navy we could find it in either ocean and destroy it. If it had one with which our Navy could not cope, then the enemy could soon blockade the canal and starve out and capture whatever army and navy, unless very large, we were unfortunate enough to have in the fortifications and at the terminals of the canal. Such a belligerent, with such a fleet, could soon, if necessary, pass around the Horn or through the—neutralized—Straits of Magellan, as did Capt. Clark with the *Oregon* during the

late war with Spain in 1898; and the more, in such case, of our Army and war vessels we had stationed to protect the Panama Canal the weaker we would be for offensive or defensive work at more important places. If we should be at war with a weak naval power, a fortified canal would be of no possible strategic importance to us; and so if at war with a superior naval power the canal would not only be of no strategic importance, but a positive source of weakness to us.

If open, neutralized, never blockaded, and not fortified, as guaranteed by existing treaties, and the ships of war of a nation with which we were at war could pass through the canal unmolested they would not do so until a base for coal, ammunition, and other absolutely necessary supplies were first established. Such a base would be impossible to find on the Atlantic or Pacific shores.

Neutralization as applied to an interoceanic canal or other highway of transportation, as defined and applied in its use in treaties between nations and as interpreted by learned writers on international law prohibits all acts of hostility thereon or in connection therewith and, consequently, necessarily forbids all preparations looking to such acts.

Congressional Record. 46: 1493-5. January 26, 1911.

Isaac R. Sherwood.

In place of the motto, in time of peace prepare for war, I believe it is a gentler and more humane and patriotic sentiment to say that in time of peace we should prepare to make that peace permanent and perpetual.

Is peace asking for the fortification of the Panama Canal? Is public good clamoring for it? Is patriotism stretching out a warning hand to check the present trend toward safer and saner living? On the contrary, are we not pledged by glorious precedent, as in the splendid record of the Suez Canal, through solemn treaty with foreign powers, through the expanding peace principles, moving church, school, and college,

municipalities, and State and Federal powers, to the benign policy of social and economical cooperation, swayed by reason and unawed by force.

We have no battleships or forts on our northern frontier, extending for more than 3,000 miles, and yet it is proposed to spend some twenty millions of dollars to fortify the Panama Canal on an acquired zone only 10 miles wide.

Mr. Carnegie, in his plea for a fortified Panama Canal, says that those forts will probably never be called upon to fire a hostile shot. In such case it would fall under the head of "useless expense," against which we are warned by Washington.

Congressional Record. 46: 2122-7. February 8, 1911.

Hernando de Soto Money.

If, on the score of economy, these fortifications are not to be built, then we ought to demolish and dismantle Fortress Monroe and the Ripraps down there, making those neutral waters; we ought to dismantle every fortress in New York Harbor, in Boston Harbor, and all the way around our whole seacoast, because it would be very much cheaper to do that.

The substitute offered by opponents of fortification for this defensive work is the Navy. Well, now, let us see about that. The cost of the proposition to fortify the Panama Canal is reduced to \$12,000,000 and a little over, with an initial sum of \$1,000,000, it being highly desirable that the fortifications should be begun and be finished almost synchronously with the completion of the canal.

The expense of one battleship, which the gentlemen who want no fortification tell you should defend that canal, is just \$12,000,000, according to an estimate submitted here the other day—\$11,983,000, I think it was—but my friend here, who is on the committee, knows; in other words, fortification will equal the cost of one battleship, which will last 15 years. Not only one battleship would be required, but one battleship at least at each end of the canal, if not two at

each end, and no battleship will be stationed there unless reinforced by gunboats, torpedo boats torpedo-boat destroyers, and a cruiser, because you can not make an army of cavalry alone or of artillery or of infantry, but you have got to have a distribution of the arms of the service; and the same is true of naval warfare.

Then the value of a navy lies in its absolute mobility, its ability to go instantly from this point to that, wherever it may be most needed. A fort can not go; big guns can not go unless they have the deck of a ship for their gun platforms. So it is deteriorating from the strength of the navy to keep it behind to defend a land work. It is just reversing the rule of warfare.

I am not a military man but it is my opinion that the three great strategic points to-day are the Strait of Gibraltar, the Suez Canal, and the Panama Canal. I mention these waterways, because, first, they are open to the world, and for the further reason that it seems to have become an obvious fact that the warfare of the future will be very much more on sea and less on land than it ever was before. That is the tendency. Hence the desperate race for predominance in the machinery of war on the water.

If we are to preserve this line of strategy, which is necessary to the existence of the territorial integrity of the United States, we have got to protect this canal so that we can use it for ourselves and for others.

Congressional Record. 46: 2127. February 8, 1911.

Elihu Root.

Mr. President, I wish to express my most decided and hearty concurrence with the conclusions which the Senator from Mississippi (Mr. Money) has enforced with the most interesting and instructive observations which he has addressed to the Senate. It seems to me that it would be as reasonable to leave one's doors unlocked in the city because one is in favor of honesty as to leave this canal undefended because we are in favor of peace.

We must not forget, when the project of neutralizing the canal is proposed, that all the unjust wars in the world, in modern times at least, have been waged notwithstanding treaties of peace. No treaty can be made for the protection of the Panama Canal that would have a more binding effect than the treaties which exist to-day and the treaties that have heretofore existed, which have ineffectively interposed their feeble barriers against the wars of the past. When we once concede that there is to be defense, the question as between defense by fortifications upon land and by ships of the Navy becomes a technical question and not a question of principle or policy.

I am bound to say that the idea of defending the Panama Canal by stationing a battleship at either end and expecting a thousand American sailors to live enclosed in steel under the sun of the Tropics is visionary and absurd.

I do not know, Mr. President, that this question is as yet before the Senate in a form for action, but whenever it does come up for action my vote will unhesitatingly be for the proper fortification of the canal.

Congressional Record. 46: 3449-51. February 25, 1911.

Walter I. Smith.

How are you going to prevent a blockade if you have not got any guns? The smallest naval power on earth can blockade this canal unless we have there in some form the instrumentalities of war to break the blockade. We did not specify how we would guarantee that this canal should not be blockaded, whether by ships of war or land defenses, but our solemn faith is pledged to the proposition that we will always protect this canal against blockade.

The provisions of this article shall apply to waters adjacent to the canal within 3 marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer than 24 hours at any one time, except in case of distress.

This treaty provided that, though we are not in a strict sense sovereigns there, this treaty shall cover the usual 3 marine miles from shore, and that that shall be deemed a

part of the canal that we are solemnly pledged that we will protect against blockade. I propose to insist upon the fortification of this canal, first, because when we struck from the treaty with Great Britain the provision to ask the nations of the earth to guarantee, and thereby forced her to renounce her guarantee of neutrality, we declared a great national policy, that, as we owned the canal, we would ourselves defend it against all comers.

I shall defend the fortification of this canal, because when we struck from the treaties of 50 years the provisions against fortification it was the plain understanding of both parties that we had the right to fortify. I shall defend the fortification of this canal, because the solemn faith of the Republic is pledged that we will protect this canal against blockade, and I shall insist that fortifications are essential to protect the canal against blockade, even by an inferior power. I shall insist that this canal shall be fortified, because it is the property of the Republic, and we have got the right to defend it against the whole world.

Congressional Record. 46: app. 199-202. [February 25, 1911.]

David J. Foster.

As Mr. Blaine plainly indicated in the statement already quoted, a proper guaranty of neutrality was not only recognized as essential to the construction and successful operation of any highway across the Isthmus of Panama, but the "necessity was foreseen and abundantly provided for long in advance of any possible call for the absolute exercise of the power." In 1846 we entered into a treaty with New Granada, of which the Isthmus of Panama was then a part. Article XXXV of that treaty contains, among other things, the following provisions:

The United States guarantees positively and efficaciously to New Granada by the present stipulations the perfect neutrality of the before-mentioned Isthmus, with a view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists.

In 1850 the historic Clayton-Bulwer treaty between the

United States and Great Britain was proclaimed. This treaty had special reference to the then proposed Nicaragua canal and provided, among other things, that the two Governments—

Will guarantee the neutrality thereof, so that the said canal may forever be open and free.

It was distinctly stated in the treaty that—

Having not only desired in entering into this convention to establish a particular object, but also to establish a general principle, they hereby agree to extend their protection—

to the inter-oceanic communication whether by canal or railway, by the way of Tehuantepec or Panama.

By the provisions of this treaty both nations were bound never to obtain or maintain exclusive control over a canal across the Isthmus. Accordingly before our Government undertook to construct and maintain the Panama Canal a new treaty was concluded with Great Britain. The general principle of neutralization established in article 8 of that convention was continued unimpaired in the new treaty. By article 3 of this treaty which was promulgated in 1901 our Government adopted as the basis of the neutralization of the canal almost word for word the rules embodied in the convention of Constantinople for the free navigation of the Suez Canal. These six rules are as follows:

1. The canal shall be free and open to vessels of commerce and of war of all nations observing these rules, on terms of entire equality, so that there shall be no discrimination against such nations or its citizens or subjects in respect of the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable.

2. The canal shall never be blockaded nor shall any right of war be exercised or any act of hostility be committed within it. The United States, however, shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

3. Vessels of war of a belligerent shall not revictual nor take any stores in the canal except so far as may be strictly necessary; and the transit of such vessels through the canal shall be affected with the least possible delay in accordance with the regulations in force, and with only such intermissions as may result from the necessities of the service. Prizes shall be in all respects subject to the same rules as vessels of war of the belligerents.

4. No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the canal, except in case of accidental hindrance of the transit, and in such case the transit shall be resumed with all possible dispatch.

5. The provisions of this article shall apply to the waters adjacent to the canal within 3 marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer

than 24 hours at any one time, except in case of distress, and in such case shall depart as soon as possible; but a vessel of war of one belligerent shall not depart within 24 hours from the departure of a vessel of war of the other belligerent.

6. The plant, establishments, buildings, and all work necessary to the construction, maintenance, and operation of the canal shall be deemed to be a part thereof for the purposes of this treaty, and in time of war as in time of peace shall enjoy complete immunity from attack or injury by belligerents and from acts calculated to impair their usefulness as parts of the canal.

In 1903 our Government entered into a treaty with the Republic of Panama in order to secure from that Government the necessary authority to construct and maintain the canal through the Isthmus of Panama. Article XVIII of that treaty is as follows:

The canal, when constructed, and the entrances thereto shall be neutral in perpetuity, and shall be open upon the terms provided for by section 1 of Article III of and in conformity with all the stipulations of the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901.

Thus it appears that 50 years before we undertook the construction of the canal we embodied in our treaties with Great Britain and New Granada our policy of neutrality. It further appears that before we struck a spade into the Isthmus we gave renewed and final expression to that policy by incorporating into our treaties with Great Britain and the Republic of Panama the principle of the neutralization of the canal for all time. Having declared in those treaties that the canal shall be free and open to the vessels of commerce and of war of all nations "observing these rules," it is our plain duty to afford the maritime powers of the world an opportunity to agree to observe these rules, as Great Britain and Panama have already done.

Cosmopolitan. 50: 727-40. May, 1911.

Fortify the Canal. James Creelman.

The Hay-Pauncefote Treaty of 1901 omitted the provision permitting the warships of all nations to use it in time of war as in time of peace. It abandoned the prohibition of fortifications. It said nothing about inviting other powers to join in the agreement. It left the whole responsibility for the construction, ownership, and control of the canal with

the United States, the British government even withdrawing from its proposed status as a joint guarantor of neutrality.

There are a few misguided Americans who still loudly insist that even under the new Hay-Pauncefote Treaty we are bound not to fortify the canal we are building with our own money through our own sovereign territory in Panama. The answer to these marplots is to be found in a memorandum from Lord Landsdowne, the British minister for foreign affairs, dated August 3, 1901, and officially communicated to the United States government, in which he said of the new treaty:

"I understand that by the omission of all reference to the matter of defense the United States' Government desire to reserve the power of taking measures to protect the canal, at any time when the United States may be at war, from destruction or damage at the hands of an enemy or enemies. . . . I am not prepared to deny that contingencies may arise when not only from a material point of view, but on behalf of the commercial interests of the whole world, it might be of supreme importance to the United States that they should be free to adopt measures for the defense of the canal at a moment when they were themselves engaged in hostilities."

Not only that, but when Theodore Roosevelt, then President of the United States, sent for Secretary Hay to discuss the meaning of the new treaty, Mr. Hay explained that it left the American government free to fortify and defend the canal at will. He declared that there could be no possible misunderstanding on that point, as it had been gone over with great care.

"I think I ought to talk with the British ambassador myself, to make sure that his government fully understands that we intend to build forts on the canal, and to provide forces for defense in time of war," said the President.

"There is really no need for that, as the matter is fully agreed to by Great Britain," said Mr. Hay, "but there is no reason why you should not do it if you so desire."

Mr. Roosevelt thereupon sent for Lord Pauncefote to come to the White House, and, after complimenting the am-

bassador upon the negotiation of the new treaty, the President said:

"Now, Lord Pauncefote, is it clearly understood that we intend, when we build the canal, to fortify and defend it? Is there any room for doubt on that point?"

"That is fully understood," answered Lord Pauncefote. "The treaty was drawn expressly to permit it."

The sober truth is that instead of violating our treaty relations by fortifying the Panama Canal, the United States would violate the Hay-Pauncefote Treaty by failing to fortify it. We have assumed the sole responsibility of guaranteeing the observance of the regulations laid down in the treaty. In that instrument we have given our solemn word as a nation that no right of war or act of hostility shall be permitted in the canal or in the waters within three marine miles of either end of it. We are in honor bound to carry out that agreement. To fulfill this obligation, which we have deliberately assumed, we must have the means of making our word good to Great Britain and to the whole world. How can we prevent acts of hostility by warships in or near the canal if we are without forts and military forces strong enough to compel any belligerent nation to observe the canal regulations?

Without fortifications, high-power rifled cannon, and mortars, which take years to provide, we should be helpless to keep our treaty and prevent any right of war or act of hostility in the canal or the adjacent waters. It is not a matter open for discussion. The thing is done, and we are bound to keep our word or suffer dishonor. The United States alone has undertaken to prevent acts of hostility in the canal and its contiguous waters and has guaranteed the neutrality of that world's highway—save when our own national safety is at stake—and except by building fortifications now how can we pretend that we are getting ready to fulfil the international contract we have made?

Fortification of the Panama Canal. H. A. Austin.

It is a well-known fact that the United States is lamentably lacking in its ability to secure, in a short time, sufficient merchant marine for use as transports, colliers and cruisers in time of war. It is probable that should a sudden war occur, necessitating our sending strong reinforcements to our outlying possessions, we should be unable to transport an army of 100,000 men without calling upon all of our merchant marine on both coasts, and should the canal fall into the hands of an enemy and compel us, in concentrating our battle fleet and transports, to sail around the Horn instead of passing through the Isthmus, it would place us at a very great disadvantage.

Therefore, in view of the great strategic importance of the canal to this country, to neglect to take every precautionary measure to prevent it from falling into the possession of an enemy in time of war, would certainly be most unwise.

It is estimated that the cost of the sea-coast fortifications recommended by the Panama Canal Board would reach a total of \$12,000,000. This is little more than the cost of a modern battleship of the Dreadnaught type, and considering the initial cost of the construction of the canal, such a sum is small as the expense of insuring its safety in time of war. Should the canal fall into the hands of an enemy and remain in its possession at the close of the war, the amount of indemnity which we should be required to pay to regain possession would be many times this amount. Or, should an enemy, if victorious, retain the waterway as a prize of war, our loss in the original outlay of nearly half a billion dollars and in the loss of profits accruing from tolls, would make the expense of erecting adequate fortifications appear an insignificant sum.

Independent. 68: 1320-2. June 16, 1910.

Neutralize the Panama Canal. David J. Foster.

"Do you mean," some one will ask, "that our Government should enter into such treaty obligations with Japan, for instance, that if we should thereafter become engaged in war with her, her warships would have the right to pass peacefully thru the canal?" Precisely. We made just such a treaty with Great Britain before we stuck a spade into the Canal Zone. We did so because it was to our advantage to have such a treaty agreement with her. What is to be feared from such an arrangement? Rear-Admiral Evans's statement as to the difficulty we should encounter in passing our ships through the canal, even under the protection of costly fortifications, with a hostile fleet blockading the exit, applies with equal force when we reverse the situation. No Japanese warship in time of war with us would get thru the canal into the waters of the Atlantic Ocean without finding our fleet ready to deal with it before any companion ship could pass thru the canal to its support. Suppose for a moment that a private corporation, such as the old French Company, was constructing the canal. Would any one suggest that such a corporation would not see the advantage that must accrue to it by having the safety of the canal at all times guaranteed? Yet no one can deny that it would be equally advantageous for the United States to have such an international guaranty.

Independent. 70: 162-4. January 19, 1911.

Neutralize the Canal.

Leaving aside the question as to whether any fortification could protect the whole 50 miles of length of the canal against a single man on a dark night with a dynamite stick in his pocket, or an aeroplane 5,000 feet in the air—that is, whether there is anything that can really protect the canal but a navy, we claim there is no admiral in the world who would risk traversing the canal, though neutralized, if his

nation was at war with us. But even if he would do such a thing, no nation would have anything to gain by going thru the canal to attack us. The only nations that could possibly do us any permanent injury in case of war are England, Germany, France and Japan. The merest tyro in naval strategy knows that a war with Germany and France would be on the Atlantic and a war with Japan on the Pacific. All three Powers would have everything to lose and nothing to gain by going through the canal to fight us in a remote ocean. England might possibly desire to go through the canal if she were at war with us. But it is no secret that President Taft is now at work negotiating an obligatory arbitration treaty with Great Britain, in which hereafter all disputes whatever are to be settled by arbitration. And, moreover, it is said that Japan is ready and even anxious to arrange a similar treaty with us. There is also every likelihood that France and even Germany will follow suit. Indeed, the only possible hypothesis that there is likely to be war with England, France, Germany or Japan rests on the false assumption that our feelings of good will toward them are not reciprocated or that the responsible heads of these enlightened states are either fools or knaves.

If, then, we have nothing to fear from the great fighting Powers of the world, what have we got to worry about from such nations as Spain, China, Venezuela and Chile?

Independent. 70: 367-8. February 16, 1911.

Dreamers of Peace.

It was Senator Money, of Mississippi, leader of the Democrats in the Senate, who the other day made a long speech in favor of fortifying the Panama Canal. He has some strong men with him.

On the other side, Senator Money tells us, are the impracticable theoretic visionaries. Thus he puts it:

All these dreams of peace are the baseless fabric of a vision. They are a delusion. It will be necessary to eliminate from human nature every trace of greed and ambition before the ideas they suggest will be practicable. These people advocate the neutraliz-

ing of the Panama Canal with the best idea in the world. But they are for the most part bishops and clergy, professors, emotional writers and effete statesmen, who are not and never will be capable of taking advantage of practical business opportunities.

That is what they are, "bishops and clergy, professors, emotional writers and effete statesmen"—not a bad lot—count us with them! Are they incapable of "taking advantage of practical business opportunities"? We have heard of business opportunities in war, but we prefer the practical business which will save the country the waste of fifty million dollars to start with. The bishops and clergy and professors have not quite made a failure of it for this world, to say nothing of the next. It is they that have revolutionized ancient Japan, and have opened China and spread civilization more than we have seen war do in our days. Senator Money thinks it will be necessary to eliminate every trace of greed and ambition from human nature before war can come to an end. Cannot human nature be greedy for the chance to serve one's kind, ambitious to develop the arts of peace for the honor of one's land as well as for killing people?

Senator Money has a strange notion of what our country resolved to dig the Canal for. He says:

I do not suppose there is a man who believes that the Government undertook this great work, costing \$400,000,000, for the sake of its commercial advantages alone. It was simply for its strategic value, and nothing else.

If that is his idea he is blinder than ever bat was blind. We can believe that some professional military man, whose whole life is taken up with a business, which if at times necessary, like the public executioner's, is the most unfortunate and most undesirable of all, should have thought first of the uses of the Canal in time of possible war, but such was not the thought of the people who determined to make the Canal. It was not for the uses of war, but for those of peace. When choosing a route the thought was not as to which could be best protected by forts, but which should be most convenient for the vessels steaming from New York to Liverpool. It was harbors, not fortifications, that were in mind; the advantages for commerce in escaping the dangers of the Horn. Furthermore, we thought much of the

glory of the achievement by us, in which one nation had failed. Was it for defense in war that De Lesseps first attempted the Canal? It was for commerce, for commerce and glory only; and for commerce and glory we took it from him and assumed his task. For the Senator to say that it was "simply for its strategic value and for nothing else" is to falsify very recent history which we all remember.

Senator Money adds, and Senator Root assents, that in time of war treaties lapse. True enough. Treaties with the nation at war do lapse, but not treaties with other nations. If we made a treaty with Roumania that it should always have the free use of the Canal, that treaty would lapse if we went to war with Rumania; but if we made treaties with all nations that the Canal should be neutral in time of war, those treaties would not lapse in case of war with a single nation, any more than the international treaties as to the Suez Canal lapsed during the Russo-Japanese war.

But, after all, it is the new international conditions which we must consider. We are coming into a period sneered at some few years ago as Sunday school politics, still sneered at by Senator Money as fit only for bishops and clergy. Our plans are well advanced to put an end to war, the greatest curse of man. We will protect the Canal better by treaties, and sooner bring in the reign of universal Peace.

Independent. 71: 125-8. July 20, 1911.

Folly of Fortifying the Panama Canal. James A. Tawney.

It may be argued that we have the legal right to fortify, if we desire to; but no one will argue that we have the right to impose such a burden on posterity with no accompanying benefit. Here is a brief estimate of the amount of that burden: First we have authorized the issue of \$375,000,000 of bonds, bearing 3 per cent interest, to meet the expense of constructing the Canal, for the benefit of the commerce of the world. The annual interest on these bonds will be \$11,255,000. The annual estimated cost of maintaining the Canal, not including any serious accident, is \$7,000,000.

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The cost of fortifying, according to one of the best informed engineers in the army, under the plan of the fortification board, will reach \$60,000,000. The annual interest on that sum will be \$1,800,000, and the estimated depreciation will be \$6,000,000 a year. General Wood stated to the committee that it would be necessary to keep upon the Canal a force of 7,000 men, including coast artillery and cavalry, and according to General Wood's testimony the cost of maintaining the 7,000 men in the Canal Zone will be \$8,400,000 annually. This will bring the aggregate annual expense of operating and maintaining the Canal for the benefit of the commerce of the world, in round numbers, up to \$36,000,000 a year. The highest estimate thus far made of the receipts accruing to the Government from the operating of the Canal is \$4,000,000 annually. The difference, \$32,000,000 a year, is the net loss to the people of America through the Panama Canal, in case we add the expense entailed by fortifying.

In fortifying the Canal we make it the legitimate object of prey, if we are ever entangled in war with another nation—and the only possible reason for fortifying is the possibility of such a very improbable entanglement. Instead of protecting the Canal by fortifying it we are most seriously jeopardizing our property. We are making it the legitimate object of war and deliberately challengnig a belligerent nation to injure or capture it.

In my judgment—and I believe it is the judgment of the great majority of the American people who have not been hypnotized by the mania of militarism—it would be far better for America, far safer for the Canal, for us to rely entirely upon the material interest which every nation on the earth will have in maintaining the integrity of the Canal and protecting it from injury or appropriation, rather than to defy them all and challenge any of them, by constructing fortifications—which can be for no purpose in the world except as stated by General Wood to be prepared to, ourselves, violate any treaty of neutrality by holding the Canal by force of arms, in case of war.

Nation. 92: 52-3. January 19, 1911.

Fortifying the Canal.

Under the laws of war, as fixed by the Hague Conference in 1907, unfortified coast places cannot be bombarded. Warships could not lie off Panama and Colon and shell these towns, because to do so would be to place their crews in the category of those who poison wells and deliberately kill women and children—acts expressly forbidden to the troops of all civilized nations. Lack of fortification would thus of itself become a protection to the canal zone.

North American. 193: 331-39. March, 1911.

Fortify the Panama Canal. Alfred T. Mahan.

In approaching the question of fortifying the Panama Canal it is well to remember at once that the Canal Zone, with the qualified exceptions of the cities of Colon and Panama, is United States territory. In the treaty of cession there is a clause providing for the extradition of offenders between the Zone and the Republic of Panama. Being, therefore, territory rather than property, to ask guarantees of neutrality from foreign states is to constitute over ourselves a kind of protectorate. It would also contravene our traditional policies, by inviting the participation of non-American states in the assuring of American conditions; a lapse the more marked when it is remembered that the Zone has become ours by acquisition from another American commonwealth.

It is gravely argued that, because a recent international stipulation provides that unfortified seaports shall not be bombarded, therefore protection is unnecessary and even inexpedient. I presume the stipulation applies to all forms of military protection—submarine mines, and so forth; and it is a natural deduction that it similarly applies to any form of military force opposing possession. That is, a hostile navy, or expedition, may not bombard an unprotected port; but it may take possession of it, and if the act be resisted, or re-

covery attempted, all military rights revive; bombardment included, if necessary. If this be so, and it seems strictly logical, the neglect to fortify can apply only to those points the occupation of which by an enemy is a matter of indifference to the country. There doubtless are many such. It is the province of a scheme of seacoast fortification, under joint army and navy supervision, to determine which these are, and the relative claims of those where defense is needed. An undefended neutrality of the Canal Zone would forbid an enemy's bombarding; but it would not deter his occupation, if at war with the United States, because the position is too valuable not to be secured, if possible.

Granting, then, that the United States intends to make sure of the use of the Canal in war, fortification will insure that peculiar end more cheaply with less danger of losing the position, than the same amount of money expended in warships, unless there are abnormal peculiarities of the ground of which I have not heard.

Outlook. 97: 52-3. January 14, 1911.

Fortifying the Panama Canal.

The "Journal des Débats," [Paris], although it regrets the probable fortification of the United States on the ground that it will make the United States a naval power of too great magnitude for Europe to view with equanimity, and agrees with the London "Times" in the expression of what it admits is a hopeless desire that the whole question might be referred to an international tribunal, courteously tells Mr. Bunau-Varilla that he is mistaken. It expresses its opinion in the following significant language, which we translate and transcribe from its issue of September 15, 1910: "We wish very much that we could share Mr. Bunau-Varilla's opinion upon the interpretation of the Treaty in the drawing up of which he participated. Unfortunately, the text of Articles III and XXIII is so exact that the United States is justified in holding another interpretation. We have already given the French translation of these articles. To-day we present

below the original text, in order to enable our readers to weigh carefully the value of the terms employed:

Article III.—The Republic of Panama grants to the United States all the rights, power, and authority within the zone mentioned and described in Article II of this agreement and within the limits of all auxiliary lands and waters mentioned and described in said Article II which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located to the entire exclusion of the exercise by the Republic of Panama of such sovereign rights, power, or authority.

Article XXIII.—If it should become necessary at any time to employ armed forces for the safety or protection of the Canal, or of the ships that make use of the same, or the railways and auxiliary works, the United States shall have the rights, at all times and in its discretion, to use its police and its land and naval forces, or to establish fortifications, for these purposes.

The "Journal des Débats" goes on to point out that Article XXIII leaves it to the discretion of the United States to determine "when and in what measure" armed forces shall be employed for the protection of the Canal; and it adds that other means than an appeal to the Treaty must be employed if the European Powers wish to protest against fortification. There is not the slightest doubt, the "Journal des Débats" says, that while Mr. Bunau-Varilla appended his signature to the Treaty in the belief that military measures could be taken only on specific occasions when the Canal was threatened, the Government of the United States, in drawing up the Treaty, did so with the distinct understanding that military measures could be taken *at any time in their discretion*. It explains the difference between the point of view of Mr. Bunau-Varilla and the United States Government by saying that "these accidents frequently happen in diplomatic discussions." France began the Panama Canal, and therefore French statesmen have a keener sentimental interest in its future than any other foreigners. That the "Journal des Débats" should give so much thought and space to upholding its view of the legal interpretation of the Treaty clearly indicates that the ablest foreign opinion will uphold the right of the United States, under the Treaty, to fortify the Canal.

No Fortifications for the Panama Canal.

General Hains discusses a number of hypothetical cases of attacks on the canal, and arrives at the conclusion that fortifications "add little or nothing to its defense"; and he sums up the possible and imaginary dangers thus:

First.—That the canal is liable to be damaged by a few men to such an extent that a suspension of navigation is inevitable; but that fortifications commanding the entrances will afford no protection whatever from this danger.

Second.—That the apprehended danger of a hostile fleet passing through the canal in time of war, if there be no fortifications, is imaginary.

Third.—The danger of bombardment is imaginary. The laws of nations forbid it. But if the laws of nations be defied, the locks and other accessories are so far inland as to be beyond the range of the guns of enemies outside.

Fourth.—An attack by a combined land and naval force is unlikely, but is possible. To prevent that, every place along the coast near the canal, where a landing could be made, should be occupied. To mount guns commanding the entrances to the canal will not suffice. If an attack be made by a force sufficiently strong, and it is inconceivable that it would be made by a weak one, fortifications commanding the entrances would not save it.

Fifth.—The blockade of the canal is the danger most to be feared. That can only be made effective by a naval force stronger than our own and after a battle on the sea. Great Britain is the only nation that has a naval force strong enough to blockade the canal; and she has renounced the right to do so by the Hay-Pauncefote Treaty.

Sixth.—When the canal is open to navigation it will become a coaling station for commercial as well as naval vessels. Possibly docks may be constructed, and both should be protected, but both the coal-pile and the docks will be inland far beyond the reach of an enemy's guns on the outside. It will, therefore, be necessary for an enemy to come inside the canal to steal the one or damage the other. This will be prevented by the naval force that will always be present.

Seventh.—Fortifications commanding the entrance to the canal may be supposed to afford shelter to a defeated fleet which an open and unprotected one would not. But a victorious enemy would be compelled to enter the canal in any case to get at ours, and it is not conceivable that he would do so. The canal as a last resort could be destroyed, if necessary, to prevent its falling into his hands. Its destruction would be no more disastrous to the United States than the loss of ability to use it.

Scientific American. 104: 218. March 4, 1911.

Panama Canal Must Be Fortified.

At the Isthmus of Panama, far removed from the nearest territory of the United States, and surrounded by turbulent governments whose perpetual ferment may cause them to

break into hostilities at very short notice, inaccessible except over lengthy routes by sea, there is being created at a cost of nearly four hundred million dollars, a property, the Panama Canal, whose completion, it is hoped, will greatly stimulate the oversea trade of this country and the building of an adequate deepsea merchant trading marine, and at the same time greatly increase the strategic value of our navy.

It is a peculiar characteristic of this great enterprise that, in spite of the stupendous character of its works and the long years that have been needed for its construction, if it were left in an undefended condition it would be capable of quick destruction, or at least of such effective disablement as to be rendered useless for an undetermined but very considerable length of time.

Common sense and far-sighted prudence demand that, having created this invaluable property, its owners should take measures to ensure its permanence and protect it against destructive attack; and it is the unanimous opinion of both our Army and Navy Departments, that the most effectual way to protect the canal would be to construct a powerful system of forts commanding the entrances both on the Pacific and Atlantic terminals.

It is not the province of this journal to go into the political aspects of the question, and it is sufficient to state that the right of the United States to build defensive works, if it should so desire, is clearly recognized by treaty, and that the leading naval and military experts in Europe seem to be agreed that we not only have the right, but that it is altogether expedient, to safeguard this property by suitable fortifications. Furthermore, these works would be of a purely protective and not of an actively offensive character; and, although treaty obligations might broadly be relied upon to protect the canal from hostile attack by any of the highly civilized nations of the earth, there are too many governments, possessed of fleets of no inconsiderable power, whose state of advancement in what might be called the ethical side of human civilization is not such as to make it sure that, in cases of extreme provocation, they would hesi-

tate to seize the canal for the sake of obtaining some strong strategic position in a critical phase of hostilities.

As to the claim that permanent defences would not insure the integrity of the whole stretch of the canal, it must be borne in mind that the scheme of defence contemplates, not merely the mounting of high-powered guns at the entrance channels, but the placing of heavy garrisons for the patrol and protection of the whole stretch of the canal from shore to shore.

As to the contention that the proper way to defend the waterway is to station warships at either end, it is sufficient to state that the value of a fleet of warships lies largely in its mobility, and that the policy of tying a certain number of our ships to some particular point, and keeping them permanently stationed there, is to rob them of the greater part of their value. It was recently pointed out by Admiral Dewey that guns mounted on board ship are on a sinkable, unsteady platform; that their protection is limited; and that the range-finding devices on board a ship have a very limited range of accuracy. Guns mounted on shore, on the other hand, are placed on an unsinkable and steady platform; and being provided with widely separated range-finding apparatus of extraordinary accuracy, they are, gun for gun, of very much greater value than those mounted on board ship. If our fleet were being transferred, say from the Pacific to the Atlantic, on emerging from the Atlantic entrance, it would be at a very serious disadvantage were that entrance commanded by a hostile fleet, so drawn up that it could concentrate its fire upon each ship as it passed into the open. Conditions at the Atlantic terminus are such that, on both sides of Limon Bay, there are excellent sites for forts well advanced on outlying points. The line joining these sites is 3,000 yards in front of the point where the canal prism reaches a low-water depth sufficient for battleships. Powerful forts at these two points would suffice to keep a hostile fleet ten to twelve thousand yards distant from the canal entrance; and, under their protection, our ships could emerge and form in line of battle, before moving out to engage the enemy. Similar points of vantage are presented

at the Pacific terminous of the canal by certain outlying islands that would admirably command the approaches.

"The general board," says Admiral Dewey, "considers the prime object of fortifications at the Canal Zone is to prevent its occupation by an enemy, and by their existence to enable the fleet, free from solicitude for the safety of the canal, to pursue its legitimate functions, whenever the interests of the country most demand its presence."

World To-Day. 20: 287-92. March, 1911.

Have We the Right to Fortify the Panama Canal.

Albert Bushnell Hart.

President Taft declares that the canal zone is our territory, which we have exactly the same right and duty to protect by fortifications that we have in any other possession of the United States. That contention can hardly be gainsaid. The United States directly, and through its Ishmian Commission and its Governor of the Canal Zone, has exercised the same kind of sovereignty as, for example, in the Island of Guam. Whatever the merits of the controversy over the annexation of the canal strip, it is now indubitably a part of the United States, and subject to the authority thereof. No court would hold that the United States outruns the powers duly vested in Congress and the President by building forts on the canal, as they have built forts at Corregidor at the entrance to Manila Bay.

There is not a great or small artificial canal in the world that is actually neutral. The Corinth Canal is fully within Greek territory; the Kiel Canal wholly in German; the Suez Canal, even since the English have signed the Convention of Constantinople, is not theoretically a public highway open to all comers in time of war, because the treaty expressly reserves the rights of the Sultan in Arabia. Furthermore, it provides that "the Egyptian government shall . . . take the necessary measure for the insuring the execution of the said treaty"; and the government of Egypt at present is substan-

tially the English resident acting under instructions from London. The Suez convention does provide in terms that the canal "shall always be free and open in time of war, as in time of peace, to every vessel in time of peace as well as in time of war, without distinction of flag."

The Hay-Pauncfote treaty does not repeat the phraseology, on this subject, of the Constantinople Convention; instead it says: "The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules on terms of entire equality . . . the canal shall never be blockaded nor shall any act of war be exercised nor any act of hostility committed within it."

The United States undoubtedly meant by this treaty to leave the canal open in time of war between other powers, under such precautions as would prevent hostilities within the canal or its approaches to the war vessels. In addition, the United States at all times has the right to use the canal for its own ships of war.

The real issue, which underlies the whole question of fortification, is whether the United States has in any way pledged itself to permit the vessels of its enemies to use the canal on equal terms and with equal facilities? One theory is that the canal is assimilated to a neutral strait. But is it international law that the holders of the shores of natural straits must not put up fortifications, even for their own protection against possible invasion?

As already shown in this paper, the movement toward neutralizing great ship canals has been checked by the practice of Great Britain in the Suez Canal. The proposed passage by Spanish ships in 1898 was hedged about with objections, and it is incredible that in case Great Britain were engaged in war the ships of her enemies would actually be allowed by British officials to pass through a canal owned substantially by the British government, between banks, both of which are in an English dependency, in order to annihilate British fleets and capture the British Asiatic possessions. If permission were given, a coincident accident would surely happen: some blundering ship would sink in an inopportune place. The canal is in effect no longer neutral, when Britain is at war.

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